

7:04:06 PM - - DENNIS TOWNSHIP CONSOLIDATED LAND USE BOARD
Regular Meeting - May 26, 2022 - 7:00 p.m.

Attendance: Turner, McEvoy, Watson, Penrose,

Applications:

DeVAUL, CHUCK & MARK - Block 226, Lot 24.02: Located at 486 Corson Tavern Road in a Rural Single Family Residential (R3) Zone. Applicants seeking to subdivide existing lot into two (2) parcels. Also requesting variances for accessory structure in front of principal structure or within front yard setback on proposed Lot 24.02, accessory structure without a principal structure on proposed Lots 24.05, temporary trailer during construction on proposed Lot 24.02 and lot frontage. (Continued from April 28, 2022.)

POZNEK FAMILY HOLDINGS, LLC - Block 237, Lot 2: Located at 2684 US Route 9 in a Rural Single Family Residential (R3) Zone. Applicant seeking a use variance to provide retail sales of golf carts from this location.

GIANNINI, ANTHONY & JULIE - Block 97, Lots 3.01 and 3.02: Located at 1372 Route 83 in a Rural Single Family Residential (R3) Zone. Applicants seeking minor subdivision approval to move the lot line to accommodate their driveway.

PIERSON-PLEASANTVILLE, LLC - Block 224, Lots 68.01, 73, 74.02, 75.03 and 78.04: Located on Woodbine-Ocean View Road in a Business District (b). Applicant seeking a use variance, bulk variances and any and all waivers and/or approvals necessary to add ready mix concrete as an additional use associated with an existing gravel pit. (Adjourned)

Other Business:

Correspondence.

Discussion: Introduction of Randall Scheule, Professional Planner, of Scheule Planning Solutions.

Resolutions:

Gleeson
Peragine, Peter and Nancy and Sea Grove Camping Resort, Inc.

Minutes:

April 28, 2022
May 5, 2022 (work session)

Bills.

Adjourn.

7:04:06 PM - - Start Recording
7:04:07 PM - - Walsh - call meeting to order
7:04:27 PM - - Roll call

7:05:06 PM - - Walsh - first application Chuck and Mark DeVaul
7:05:56 PM - - Batastini - wants to do some housekeeping issues regarding Pierson application. Applicant has agreed to adjourn the hearing from this evening until the June 23, 2022 meeting. No further notice required unless applicant determines to do so. Applicant may amend their application as well.
7:07:44 PM - - Paul Baldini, Esquire - attorney for Pierson - thank Board for allowing them to adjourn. Waives any time constraints until June 23, 2022.
7:08:40 PM - - Walsh - Ask if DeVaul is ready to proceed
7:08:59 PM - - DeVaul - yes
7:09:07 PM - - Batastini - advise applicants that 5 affirmative votes are required and there are 6 members present; up to applicant whether or not they want to move forward or not.
7:10:49 PM - - DeVaul - when will there be another member
7:11:06 PM - - Turner - missing Frie, Hope and Caprioni. Will try to reach Hope. Reached Hope, not able to attend. Caprioni has already said will not be here.
7:12:00 PM - - Chuck DeVaul - decide to move forward.
7:12:12 PM - - Batastini - administer oath to Chuck DeVaul and Mark DeVaul.
7:12:43 PM - - Batastini - ask DeVaul to present application
7:13:04 PM - - Chuck DeVaul - property in both their names, want to subdivide, build his house on Lot 24.02. Asking for temporary trailer while building his house.
7:14:07 PM - - Mark DeVaul - advantage to Township is that there will be 2 lots on tax rolls instead of 1.
7:14:33 PM - - Batastini - asking for use variance, need to identify positive and negative criteria - explained these to applicants. Will try to guide along the best he can. Questions to applicants.
7:15:45 PM - - Mark DeVaul - advised which was his property. Discussed DeVaul Lane - public road; has 54 feet frontage; he only owns Lot 23; 24.05 - seeking frontage variance and for existing structure.
7:19:26 PM - - Batastini - questions to Chuck DeVaul
7:19:36 PM - - Chuck DeVaul - confirmed frontage on his property; existing flag lot; meets setbacks; asking for accessory structure in front of principal structure
7:21:29 PM - - Batastini - ask Mark DeVaul what he does for a living
7:21:50 PM - - Mark DeVaul - licensed land surveyor;
7:22:27 PM - - Batastini - directed questions to Mark DeVaul
7:22:42 PM - - DeVaul - respond to Batastini
7:22:51 PM - - Batastini - open to Board
7:23:02 PM - - Cowan -
7:23:06 PM - - Mark DeVaul - advise width of DeVaul's Lane - 27 feet for the frontage of Lot 19.04 and then goes back to 16 feet wide
7:24:16 PM - - Watson - Lot 24.02 - ask that lot be described
7:24:42 PM - - Penrose - Lot 24.05 has there been a wetlands delineation, it says no buffer
7:25:26 PM - - Mark DeVaul - line was approved with no buffer; isolated manmade wetlands
7:26:20 PM - - Penrose -
7:26:43 PM - - Chuck DeVaul - the State has verified everything and property is ready to subdivide
7:27:15 PM - - Penrose - wetlands is one thing and environmental assessment is another
7:27:36 PM - - Mark DeVaul - ask Batastini if neighbor next door has to do this
7:28:06 PM - - Batastini - each applicant has its own requirements and doesn't know what the neighbor had to do. Suggest again that they hire an engineer and/or an attorney, but won't mention it again, it's up to them.
7:29:23 PM - - Chuck DeVaul - can they adjourn until June meeting.
7:29:39 PM - - Batastini - they can, but can't confirm that they will be heard due to other matters being listed first; doesn't want them to jeopardize their application. Adjourned application to June

meeting; no further notice is needed. Ask DeVauls if they will toll the time period for which this application can be approved; if do not agree to toll the time now, advised them that Board will continue with application this evening. Advised Mark DeVaul to call him to discuss.

- 7:32:28 PM - - Walsh - next application Poznek Family Holdings, LLC
- 7:32:49 PM - - Louis DeLollis, Esquire - attorney for applicants
- 7:33:07 PM - - Batastini - administer oath Brian Seidel, NJPP - state his credentials, Licensed Landscape Architect and Professional Planner. Seidel identified as expert.
- 7:35:07 PM - - DeLollis - site contains a single family residence, garage and other site improvements. Seeks to store golf carts in existing building; business is Mike's Golf Carts.
- 7:36:28 PM - - Batastini - administer oath to Robert Poznek.
- 7:36:51 PM - - DeLollis - questions to Poznek
- 7:37:00 PM - - Poznekk - owner of Mike's Golf Carts; has owned since 2012; described business - golf carts for use in the street. Has clients in Cape May County; deliver golf carts from current location to this site; business is seasonal - April, May, June, July and end of August if lucky, family business, try to keep days "short and sweet"; get deliveries - plenty of room for all size trucks to turn; son plans on living in the residence; no noise disturbance to neighbors - intend to be respectful to neighbors - want it to be peaceful and client; golf carts are quiet - all electric; indicate number of employees - several family members and a full time and a part time delivery person; will ask for a small sign; property will remain as is with no changes and aware if any are proposed, understands that he will have to come back to Board.
- 7:43:20 PM - - Batastini - confirm that application is only for use being allowed and if it is, will come back or use variance
- 7:44:03 PM - - DeLollis - explain intentions
- 7:44:15 PM - - Batastini - advise DeLollis that asking for waiver
- 7:44:47 PM - - Batastini and DeLollis and Poznek - conversation - offices are on the property from previous business located there; office will be used for some customer sales, most business is over the internet; motor vehicles requires him to have a license to sell the golf carts and has to abide by the laws of the Motor Vehicle Agency - must have an office, must maintain a certain number of hours, etc.
- 7:47:13 PM - - DeLollis - believes that he notified to cover
- 7:48:00 PM - - Batastini - hours of operation
- 7:48:07 PM - - Poznek - Monday through Friday 7:00 a.m. to 5:00 p.m. and shorter hours on Saturdays.
- 7:48:37 PM - - Penrose - will there be servicing of vehicles and batteries
- 7:48:56 PM - - Poznek - new vehicles; electric; battery driven; would like to be able to store vehicles; servicing is done at their Williamstown site and not intending to do service at proposed site.
- 7:51:20 PM - - Walsh -
- 7:51:24 PM - - Poznek - believes building is 5200 square feet; vehicles are 4 and 6 seaters; vehicles can be stacked on pallets. Described driveway length and location.
- 7:53:23 PM - - Batastini - is front still used as residence
- 7:53:34 PM - - Poznek - yes - people who owned previously lived there. Plan on continuing residential use. Would rather not have a sign but feels necessary so people aren't banging on his door.
- 7:54:50 PM - - Batastini - advise DeLollis that he thinks a variance will be needed for a sign.
- 7:55:14 PM - - DeLollis - pulled notice and confirmed that he asked for any and all waivers.
- 7:55:39 PM - - Poznek - described sign that was there for a previous business
- 7:56:12 PM - - DeLollis - will be requesting a sign variance

7:56:24 PM - - Batastini - ask Board for any further questions
 7:56:36 PM - - Watson - ask surrounding area to be described
 7:56:49 PM - - Poznek - garden center across street; some one fixing up a house; woods; other residential uses; not much going on except for across the street
 7:57:50 PM - - Batastini - ask Fralinger questions regarding sign requirements
 7:58:27 PM - - Fralinger - 32 square feet and some need to be building mounted
 7:59:04 PM - - Watson - applicant is looking for something small
 7:59:19 PM - - Fralinger - advise of typical sign requirement limits
 7:59:54 PM - - Batastini -
 8:00:10 PM - - Seidel - suggests 16 square foot with 6 foot height limit - which is half of what is permitted - with 10 feet off and freestanding
 8:01:16 PM - - Batastini
 8:01:21 PM - - DeLollis - ask Seidel to explain existing property
 8:01:46 PM - - Seidel - can see residential use along roadway; warehouse is less visible from roadway; existing driveway; property has been used for business purposes since the 1980's; discussed relief being sought for use variance; discussed positive and negative criteria in detail. His opinion that project fits in with the scheme and is compatible with the other uses in the neighborhood.
 8:08:35 PM - - DeLollis - no further questions for Seidel
 8:08:45 PM - - Batastini - ask Board for any questions to Seidel
 8:08:59 PM - - Watson - is there 30 feet of buffer on the north side
 8:09:12 PM - - Seidel - there is substantially more buffer - house is around 90 feet and the garage is about 190 feet and there is vegetation along the line. North has tree line and south has vegetation.
 8:10:18 PM - - Watson - would like to see lines for vegetation; location of driveway and proposed sign.
 8:10:46 PM - - Seidel - indicate that shown on survey
 8:10:57 PM - - Watson - missed that
 8:11:28 PM - - Seidel - can share screen (with assistance of Turner). Looking at arial view and described location of buildings, driveway - only driveway on property; sign would go next to Route 9 and meet requirements.
 8:13:17 PM - - Poznek - confirm that tractor trailers have used the driveway - explained how they turn; has actually seen it done and they can do it easily
 8:14:04 PM - - Seidel - refer to survey on screen and describe
 8:14:51 PM - - Walsh - does driveway encroach on neighbors property
 8:15:13 PM - - Poznek - tractor trailers are 102 inches wide at the most; when built a barrier was created with railroad ties; when trucks turn they are closer to his house than to the neighbors.
 8:16:19 PM - - Walsh - any further questions
 8:16:28 PM - - Penrose - one of the photographs submitted with application show a sign, is that where new proposed sign would be placed
 8:16:58 PM - - Seidel - show photograph with sign - that would be the appropriate location for the new proposed sign
 8:17:50 PM - - Walsh - any other questions - none - ask Fralinger for his report
 8:18:06 PM - - Fralinger - review engineer's report/comments. Concern with parking issue and if can be resolved, agreeable to waiving site plan
 8:20:23 PM - - Poznek - describe existing parking and indicate that farther back is almost unlimited; believes that 5 regular spots and 1 handicap spot would be more than enough - works for Williamstown site. Employees and work vehicles park elsewhere on site and customer traffic is sporadic.
 8:23:40 PM - - Batastini - what is required number of parking for this site
 8:23:54 PM - - Fralinger - depends on size of use areas
 8:24:08 PM - - Poznek - office area is about 1400 square feet
 8:25:04 PM - - Fralinger - 8 spaces would be required

8:25:25 PM - - Poznek - looks like they had 8, 10 or 12 spaces originally but was marked down - will do what he needs to meet requirements

8:26:13 PM - - Batastini

8:26:18 PM - - Seidel - can meet required number of parking spaces for retail area including ADA requirements; can revise survey

8:27:05 PM - - Batastini - if a parking variance is needed, will have to come back

8:27:39 PM - - Seidel - doesn't believe that a variance will be required - can use back of property for any additional parking if necessary

8:28:14 PM - - Batastini - any further questions

8:28:38 PM - - Cowan - looks like there is plenty of parking in the front

8:28:55 PM - - Batastini - doesn't think parking will be an issue - any other questions - none - open to public - none - close public portion. Ask DeLollis if he has anything further to add.

8:29:54 PM - - DeLollis - nothing to add

8:30:02 PM - - Batastini - wants to vote on site plan waiver - ask for form of motion approving said waiver

8:31:04 PM - - Cowan - motion to approve

8:31:13 PM - - Chambers - second

8:31:19 PM - - Roll call

8:31:50 PM - - Batastini - motion to grant use variance

8:36:34 PM - - Walsh - motion to approve

8:36:52 PM - - Cowan - second

8:37:03 PM - - Batastini - ask Board members for reason for their vote

8:37:18 PM - - Roll call - all voting members in favor

8:39:29 PM - - Batastini - thank DeLollis and Seidel and wish applicant good luck

8:39:51 PM - - Walsh - next application Anthony and Julie Giannini

8:40:25 PM - - Anthony Giannini -

8:40:36 PM - - Batastini - administer oath to Anthony Giannini - ask Giannini what he does for a living

8:41:04 PM - - Giannini - fully licensed and insured landscaper - when driveway was put in it was teetering on his neighbors property; offered to purchase acreage from neighbor - basically swapping property with neighbor, with both ending up with same amount of property, just reconfigured line

8:43:03 PM - - Batastini -

8:43:10 PM - - Giannini - even their water valves are on neighbors property

8:43:31 PM - - Fralinger - pretty straight forward application, is actually a by-right subdivision; would be a condition per his report

8:44:41 PM - - Batastini - any questions of Fralinger - none; open to public -none - close

8:45:13 PM - - Batastini - motion to approve lot line adjustment - by-right subdivision

8:45:34 PM - - Turner - motion to approve

8:45:41 PM - - McEvoy - second

8:45:49 PM - - Roll call -all in favor

8:46:31 PM - - Batastini - congratulations to applicant

8:46:47 PM - - Walsh - introduction of Randall Scheule of Scheule Planning Solutions

8:47:25 PM - - Randall Scheule - introduce himself and kick off re-exam of the Master Plan; sent out several items. Master Plan outline - under 10 year obligation. Master Plan is not a Zoning Ordinance, but must Zoning Ordinance must be consistent with the Master Plan. Will list sections that need to be re-visited. Advised of process - review of handout provided and discussed and indicated what he would be doing and presenting to Board for consideration/input.

8:55:04 PM - - Turner - when would be time to bring up certain items that re-occur

8:56:12 PM - - Scheule - has copies of Board's annual reports; will be looking at them and making comments after having a chance to review and make compilation.

8:57:30 PM - - Turner - one thing is height variance - currently 30 feet; should be increased to 35 feet

8:58:01 PM - - Batastini - advised that in addition to Board's annual reports, Mr. Scheule has been provided with the work prepared by Mr. Watson

8:58:39 PM - - Turner - the height of 35 feet is mostly for residential homes. Also the right on line setbacks - no one is doing it.

8:59:38 PM - - Scheule - knows that some things don't work in all areas. Board may want to go back to goals and objectives and do some tweaking so all works together.

9:02:01 PM - - Batastini - wants to make sure that there is a good interplay between Master Plan and COHA obligations.

9:02:38 PM - - Scheule - has made a note of that

9:03:07 PM - - Batastini -

9:03:50 PM - - Turner -

9:03:54 PM - - Scheule - has outline of statutory requirements; goals and objectives - very detailed and extensive. May want to revise, address differently from back in 2012; good time to look at zoning and make the best of what you have. About 72% of land is conservation/wooded areas in Dennis Township.

9:07:22 PM - - Scheule - need to take into consideration a timeframe if want to be done by the Fall

9:08:07 PM - - Batastini - thinking about a sub-committee - some one from Council; Mr. Watson and another volunteer, as well as Mr. Walsh.

9:08:55 PM - - Turner - he can do it, but time becomes scarce in summer months; would like to see sub-committee report to whole Board and Board have input to goals and objectives

9:10:00 PM - - Batastini - sub-committee will make monthly reports to full Board; would like to have completed by November, 2022. Advise Scheule that he will reach out to him and begin getting organized.

9:11:11 PM - - Scheule -

9:11:51 PM - - Turner - need to also take a look at permitted uses

9:12:10 PM - - Scheule - he will be looking at whole ordinance and bringing things up that is or may be an issue

9:13:13 PM - - Turner -

9:13:21 PM - - Walsh - need to deal with brewery and winery uses

9:13:46 PM - - Batastini - thank Scheule

9:13:55 PM - - Scheule - thank Board

9:14:01 PM - - Walsh - Resolutions

9:14:08 PM - - Batastini - Gleeson and Peragine Resolutions to be voted on

9:16:20 PM - - Walsh - Gleeson Resolution

9:16:32 PM - - Penrose - motion to approve

9:16:38 PM - - Chambers - second

9:16:46 PM - - Roll call -all voting members in favor

9:17:29 PM - - Walsh - Peragine Resolution

9:17:38 PM - - Chambers - motion to approve

9:17:44 PM - - Cowan - second

9:17:48 PM - - Roll call - all voting members in favor

9:18:17 PM - - Walsh - minutes of 4/28/22 and 5/5/22

9:18:37 PM - - Turner - motion to approve

9:18:45 PM - - Walsh - second

9:18:50 PM - - Voice vote - all in favor

9:18:58 PM - - Walsh - bills - Fralinger and Batastini

9:19:54 PM - - Turner - motion

9:20:01 PM - - Penrose - second

9:20:29 PM - - Roll call - all in favor

9:20:37 PM - - There being nothing further - meeting adjourned.

9:20:50 PM - -

9:21:09 PM - - Stop Recording